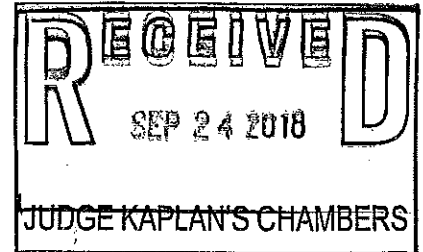


MEMO ENDORSED

UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF NEW YORK



----- X  
UNITED STATES OF AMERICA,

v.

JAMES GATTO,  
a/k/a "Jim,"  
MERL CODE, and  
CHRISTIAN DAWKINS,

Defendants.  
----- X

:  
:  
: Case No. S2 17-cr-00686 (LAK)  
:  
: ECF Case  
:  
: NOTICE OF DEFENDANTS'  
: MOTION FOR THE  
: ISSUANCE OF A RULE 17(C)  
: SUBPOENA TO THOMAS  
: JOSEPH "TJ" GASSNOLA

USDS SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law, and the

exhibits thereto, Defendants James Gatto, Merl Code, and Christian Dawkins, by their attorneys,  
move before the Honorable Lewis A. Kaplan of the United States District Court for the Southern  
District of New York, 500 Pearl Street, New York, New York, for an Order granting Defendants'  
Motion for the Issuance of a Rule 17(c) Subpoena to Thomas Joseph "TJ" Gassnola.

COURTESY COPY

Memorandum Endorsement

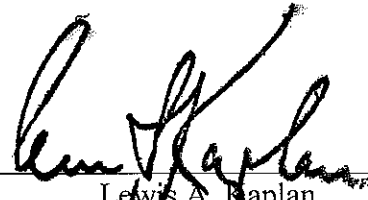
United States v. Gatto, S2 17-cr-0686 (LAK)

Defendants' motion for the issuance of a Rule 17(c) subpoena to Thomas Joseph "TJ" Gassnola [DI 199] is denied for failure to comply with Local Criminal Rule 16.1 in that it is unaccompanied by "an affidavit certifying that counsel has conferred with counsel for the opposing party in an effort in good faith to resolve by agreement the issues raised by the motion without the intervention of the Court and has been unable to reach agreement."

The parties shall confer in accordance with Rule 16.1 and may advise the Court of any issues that they have been unable to resolve by agreement after they have done so.

SO ORDERED.

Dated: September 25, 2018

  
\_\_\_\_\_  
Lewis A. Kaplan  
United States District Judge